

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2004-023204

02/09/2007

HON. PAUL A KATZ

CLERK OF THE COURT  
W. Bobrowski  
Deputy

RAFIK Y KAMELL

STEPHEN M HOPKINS

v.

GOOD SAMARITAN REGIONAL MEDICAL  
CENTER, et al.

MATTHEW F WINTER  
CYNTHIA D STARKEY

MATTER UNDER ADVISEMENT

8:33 a.m. This is the time set for Oral Argument on Defendant Larry Leverett, M.D.'s Motion for Summary Judgment and Defendant Larry Leverett, M.D.'s Motion for Summary Judgment Regarding Survival Claims. Plaintiff is represented by counsel, Stephen M. Hopkins. Defendant Leverett is represented by counsel, Matthew F. Winter.

Court Reporter, Kim Hannan, is present.

Arguments are heard.

IT IS ORDERED granting Defendant Larry Leverett, M.D.'s Motion for Summary Judgment Regarding Survival Claims with respect to the separately filed claims for battery and common law negligence and taking the Motion under advisement with respect to the Arizona Protective Services Act.

IT IS FURTHER ORDERED taking Defendant Larry Leverett, M.D.'s Motion for Summary Judgment, Plaintiff's Motion for Leave to Retain New Expert Due to Dr. Donlon's

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Illness, and Plaintiff's oral motion to allow the claim to proceed if probate proceedings begin under advisement.

IT IS FURTHER ORDERED that by February 23, 2007, Defendant will respond or reply to Plaintiff's Motion for Leave to Retain New Expert Due to Dr. Donlon's Illness.

IT IS FURTHER ORDERED that by February 23, 2007, counsel shall file an affidavit either from Dr. Donlon or his treating physician that either indicates what is wrong with him or indicates that he is suffering from a medical condition that has caused him to be unable to continue to serve as an expert in this case.

9:34 a.m. Hearing concludes.